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Attorneys for Defendants
SSC CARMICHAEL OPERATING
COMPANY LP; SSC CARMICHAEL
OPERATING GP, LLC; SSC CARMICHAEL
MANAGEMENT COMPANY LP; SSC
HICKORY 13TH OPERATING COMPANY
LLC; SSC HICKORY EAST OPERATING
COMPANY LLC; SAVASENIORCARE
ADMINISTRATIVE SERVICES, LLC;
SAVASENIORCARE, LLC;
SAVASENIORCARE CONSULTING, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NAOMI FARFAN, LOLLIE WEBSTER, and
TERRI RICHTER, individually and on behalf of
other members of the general public similarly
situated,

Plaintiffs,

v.

SSC CARMICHAEL OPERATING COMPANY
LP; SSC CARMICHAEL OPERATING GP, LLC;
SSC CARMICHAEL MANAGEMENT
COMPANY LP; SSC HICKORY 13TH
OPERATING COMPANY LLC; SSC HICKORY
EAST OPERATING COMPANY LLC;
SAVASENIORCARE ADMINISTRATIVE
SERVICES, LLC; SAVASENIORCARE, LLC;
SAVASENIORCARE CONSULTING, LLC,

Defendants.

Case No. 4:18-CV-01472-HSG

**STIPULATION AND REQUEST TO
REMAND ACTION TO MARIN COUNTY
SUPERIOR COURT AND JOINT
STATUS REPORT ; ORDER**

1 Plaintiffs NAOMI FARFAN, LOLLIE WEBSTER, and TERRI RICHTER (“Plaintiffs”) and
2 Defendants SSC CARMICHAEL OPERATING COMPANY LP; SSC CARMICHAEL
3 OPERATING GP, LLC; SSC CARMICHAEL MANAGEMENT COMPANY LP; SSC HICKORY
4 13TH OPERATING COMPANY LLC; SSC HICKORY EAST OPERATING COMPANY LLC;
5 SAVASENIORCARE ADMINISTRATIVE SERVICES, LLC; SAVASENIORCARE, LLC;
6 SAVASENIORCARE CONSULTING, LLC (“Defendants”) (together, the “Parties”), by and
7 through their counsel of record agree and stipulate as follows:

8 WHEREAS, on March 7, 2018 Plaintiffs filed the instant action against Defendants alleging
9 various wage claims. (Dkt. 1.) On May 1, 2018, Plaintiffs filed a first amended complaint adding an
10 allegation under the Private Attorneys General Act of 2004, Labor Code § 2698, et seq. (“PAGA”) (Dkt. 12.);

12 WHEREAS, on July 9, 2018, Defendant SAVASENIORCARE, LLC filed a motion to
13 dismiss for lack of personal jurisdiction (Dkt. 20) and a motion to compel the arbitration of the
14 individual claims of Plaintiff TERRI RICHTER, and to dismiss or stay other claims pending
15 arbitration (Dkt. 22), Defendants filed a motion to compel arbitration of the individual claims of
16 plaintiffs NAOMI FARFAN and LOLLIE WEBSTER and to stay other claims pending arbitration
17 (Dkt. 25), Defendants SSC HICKORY 13TH OPERATING COMPANY, LLC and HICKORY EAST
18 OPERATING COMPANY, LLC filed a motion to dismiss for lack of personal jurisdiction (Dkt. 28),
19 and a motion to transfer venue (Dkt. 31) (collectively, the “Motions”);

20 WHEREAS, on July 27, 2018, the Court granted the Parties’ stipulation to stay the case
21 pending resolution of Defendants’ motions to compel arbitration (Dkt. 38);

22 WHEREAS, on February 1, 2019, the Court granted Defendants’ motions to compel
23 arbitration (Dkt. 50);

24 WHEREAS, on October 7, 2019, after motions for reconsideration were filed by both Parties,
25 the Court granted Defendants’ motion for reconsideration and dismissed Plaintiffs’ class claims. In
26 the order, the Court directed the Parties to provide a status report within 90 days (Dkt. 67);

27 WHEREAS, on October 31, 2019, the Court granted the Parties’ request to provide a status
28 report after the Parties’ mediation on January 22, 2020 (Dkt. 69);

1 WHEREAS, on February 21, 2020, the Parties reported that they participated in a mediation
2 on January 22, 2020, and were not able to reach resolution that day, but were continuing to discuss
3 a possible resolution and requested a continuance of the joint report date (Dkt. 70);

4 WHEREAS, on February 25, 2020, the Court granted the request (Dkt. 72);

5 WHEREAS, pursuant to the Court's requirement for a joint status report on the lawsuit, the
6 Parties report that on March 26, 2020, the parties entered into a fully executed Memorandum of
7 Agreement setting forth the terms and conditions of a global settlement of all claims in this litigation
8 (the "MOA");

9 WHEREAS, pursuant to the terms of the MOA, the Parties have agreed to request this Court
10 to remand the lawsuit to the Superior Court of California in Marin County.

11 **STIPULATION**

12 The Parties hereby stipulate to request the Court to remand this lawsuit to the Marin County
13 Superior Court.

14 DATED: March 26, 2020

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

17 By: /s/ Michael J. Nader

18 Michael J. Nader
19 Attorneys for Defendants
20 SSC CARMICHAEL OPERATING
21 COMPANY LP; SSC CARMICHAEL
22 OPERATING GP, LLC; SSC CARMICHAEL
23 MANAGEMENT COMPANY LP; SSC
24 HICKORY 13TH OPERATING COMPANY
25 LLC; SSC HICKORY EAST OPERATING
26 COMPANY LLC; SAVASENIORCARE
27 ADMINISTRATIVE SERVICES, LLC;
28 SAVASENIORCARE, LLC;
SAVASENIORCARE CONSULTING, LLC

1 DATED: March 26, 2020

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THE MCCORMACK LAW FIRM

2
3
4 By: /s/ Edward J. Wynne
Edward J. Wynne
Bryan J. McCormack
Attorneys for Plaintiffs
NAOMI FARFAN, LOLLIE WEBSTER AND
TERRI RICHTER

8 **SIGNATURE ATTESTATION**

9
10 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
11 document has been obtained from the other signatories.

12
13 DATED: March 26, 2020

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14
15
16 By: /s/ Edward J. Wynne
Edward J. Wynne
Attorneys for Plaintiffs
NAOMI FARFAN, LOLLIE WEBSTER AND
TERRI RICHTER

1 **PROPOSED ORDER REMANDING CASE TO MARIN COUNTY SUPERIOR COURT**

2 The above stipulation is hereby approved. For good cause, the Court orders that this matter
3 be remanded to the Marin County Superior Court.
4
5
6

7 IT IS SO ORDERED.

8 DATED: 3/27/2020


The Hon. Haywood S. Gilliam, Jr.
U.S. District Court Judge